

Application Ser. No.: 10/664,855
Filing Date: September 22, 2003
Examiner: Nwaonicha, Chukwuma O.

Remarks

Claims 1-3 and 5 are pending in the application. These amendments and response were necessitated due to the telephone call initiated by the Examiner on August 22, 2005. At which time, the Examiner informed the undersigned that claim 1 needs a minor amendment to place it in condition for allowance. In that the Examiner noted that the proviso provided at the end of the second alternative definition B of the substituents R1, R2, R3 and R4 is confusing because it is not clear whether this proviso is intended for both definitions A and B. Further, the Examiner suggested that the same proviso be inserted at the end of the first definition A of R1 to R4. Accordingly, by way of this amendment, Applicants have provided such a proviso at the end of the first definition A of R1 to R4, thus removing any ambiguities that might have existed in the original recitation of claim 1.

In addition, certain other errors found in claim 1 have also been amended. For instance, in A, within the definition of R5 "radical" has been removed as has been done at various other places. Also, within the definition of R5 before substituted "unsubstituted or" has been inserted to make it clear that phenyl, naphthyl and biphenyl can be either unsubstituted or substituted. In claim 1, in B, within the definition of R1, R4 "in the alkyl groups one to seven hydrogen atoms may be replaced by fluorine" has been amended to read as "wherein the alky groups in each case have zero to seven hydrogen atoms replaced by fluorine" as has been done at various other places of the claims. Claim 2 has also been amended within the definition of R5 as done in claim 1. Similarly, claim 3 has been amended to correct a minor error in that the phrase "where the rings may be substituted up to" has been changed to "where phenyl is unsubstituted or substituted one or." Also, in claim 3, within the definition of R5 before phenyl "or" has been inserted. Finally, claim 5 has been amended to provide "in" within the preamble of the claim. As noted, all of these amendments were made to correct either errors and/or inconsistencies in the claims and it is respectfully submitted that no new subject matter has been inserted through these amendments. Further, all of these amendments are fully supported by the specification.

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Conclusions

In view of the above Remarks, it is respectfully submitted that claims 1-3 and 5 are now in condition for allowance and the early issuance of this case is respectfully requested. In the event the Examiner wishes to contact the undersigned regarding any matter, please call (collect if necessary) the telephone number listed below.

Applicants believe there are no fees due for this Supplemental Rule 111 Amendment. However, if the Examiner deems that fees are due, please charge these fees to Deposit Account No. 18-1982 for Aventis Pharmaceuticals Inc. Bridgewater, NJ. Please credit any overpayment to Deposit Account No. 18-1982.

Respectfully submitted,

August 23, 2005

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